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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,255	03/23/2000	Noriko Otani	35.C14356	9785

5514 7590 03/11/2004

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EXAMINER

CAMPBELL, JOSHUA'D

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 03/11/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/533,255

Applicant(s)

OTANI ET AL.

Examiner

Joshua D Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 12/18/2003.
2. Claims 1-45 are pending in the case. Claims 1, 23, and 45 are independent claims.
3. The rejection of Claims 1-65 under USC 102(a) as being anticipated by Winter et al. has been withdrawn as necessitated by the amendment.
4. Based on the amendments to the claims and the explanations provided by the applicant, the rejection of claims 1-45 based on 35 USC 112 has been withdrawn.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-45 rejected under 35 U.S.C. 103(a) as being anticipated by Winter et al. ("Microsoft Office 97 User Manual", published in 1998) in view of Pyreddy et al. (hereinafter Pyreddy, US Patent Number 5,950,196, filed September 7, 1999).

6. **Regarding independent claim 1**, Winter et al. disclose a method of using Microsoft Excel in which portions of a table are displayed in a separate document based on user selection. The user selects row(s), column(s), or nonconsecutive cells of the table that can be copied to a clipboard and from that clipboard items can be pulled into and displayed in a separate document. (Page 260-261, "Selecting Cells"; Page 273, "Edit → Copy"; and Page 52-54, "Edit → Paste Special" of Winter et al.). In order for this to be accomplished it is necessary to have analyzed the table to know the location of all the cells in the table. It is inherent that a table is a method of laying out data. Thus, the method disclosed by Winter et al. is operable on both a table for layout and a data table. Winter et al. also discloses that tables formatted in HTML can be operated on (tables contained between tags) (Page 922-923 of Winter et al.). Winter et al. does not disclose a method in which the segments generated from those tables are explicitly formatted into tagged segments.

However, Pyreddy discloses a method in which a table is broke down into segments and those segments are identified by placing them between start and end tags (column 3, lines 11-32 and column 4, table 1 and column 5-6, table 4 of Pyreddy). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of segmenting tables of Winter et al. with the

method of tagging segments of a table of Pyreddy because it would have allowed for a more convenient way to facilitate the user with a better representation of the user's informational needs.

7. **Regarding dependent claims 2-6**, Winter et al. disclose a method in which the user selects row(s), column(s), nonconsecutive cells of the table, or the whole table to be copied to a clipboard and from that clipboard items can be pulled into and displayed in a separate document. (Page 260-261, "Selecting Cells"; Page 273, "Edit → Copy"; and Page 52-54, "Edit → Paste Special" of Winter et al.).

8. **Regarding dependent claim 7**, Winter et al. disclose a method in which a table can be copied and pasted into a separate Microsoft Excel document at which point the new table can be operated on by the user (Page 273-274, "Edit → Copy" and "Edit → Paste" of Winter et al.).

9. **Regarding dependent claims 8-14**, Winter et al. disclose a method in which the data items in the table are compared to each other and can also be extracted and moved if necessary (Page 236-237, "Table → Sort" of Winter et al.). It is inherent that a table is a method of laying out data. Thus, the method disclosed by Winter et al. is operable on both a table for layout and a data table.

10. **Regarding dependent claims 15-22**, Winter et al. disclose a method in which the user selects row(s), column(s), nonconsecutive cells of the table, or the whole table to be copied to a clipboard and from that clipboard items can be pulled into and displayed in a separate document. (Page 260-261, "Selecting Cells"; Page 273, "Edit → Copy"; and Page 52-54, "Edit → Paste Special" of Winter et al.). Thus, allowing the

user to make a selection of a uniform size of rows and columns, eliminating unwanted data. Winter et al. also disclose a method in which data is updated within the table, at any time, if necessary if there is a change in an item contained within the formula which dictates any data contained within the table (Page 255-256, "Creating Formulas" of Winter et al.). Any table contained within the current operating table may be operated on under the same conditions.

11. **Regarding independent claim 23 and dependent claims 24-44**, the claims incorporate substantially similar subject matter as claims 1-22. Thus, the claims are rejected along the same rationale as claims 1-22.

12. **Regarding independent claim 45**, the claim incorporates substantially similar subject matter as claim 1. Thus the claim is rejected along the same rationale as claim 1.

Response to Arguments

13. Applicant's arguments with respect to claims 1, 23, and 45 have been considered but are moot in view of the new ground(s) of rejection. The deficiency shown by the applicant based on the lack of tags used to delineate tables and segments created has been overcome in the U.S.C. 103(a) rejection above.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

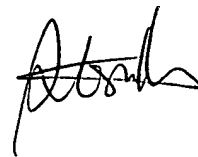
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 09/533,255
Art Unit: 2178

Page 7

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC



STEPHEN S. HONG
PRIMARY EXAMINER